

ENTERED

March 07, 2019

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA §
 §
VS. § MAGISTRATE NO. 2:19-MJ-850
 §
JOSE ASCENSION TORRES-GALVAN §

MEMORANDUM OPINION AND ORDER OF DETENTION PENDING TRIAL

A detention hearing has been held in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f). The following requires detention of the Defendant pending trial in this case:

- (1) There are no conditions or combination of conditions that would reasonably secure the presence of the Defendant; and
- (2) There are no conditions or combination of conditions that will reasonably assure the safety of the community.

The evidence against the Defendant is substantial. The findings and conclusions contained in the Pretrial Services Report are adopted. The Defendant has no status to live or work in the United States. The Defendant has two prior removals and two prior § 1325 convictions. In addition, according to the testimony of the CBP Agent and the complaint, the Defendant was arrested attempting to circumvent the CBP Falfurrias Checkpoint, reflecting his awareness that he was in the United States unlawfully and his intent to avoid detection by law enforcement officials. He is a poor bond candidate.

The Defendant is committed to the custody of the United States Marshal or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED this 7th day of March, 2019.


B. JANICE ELLINGTON
UNITED STATES MAGISTRATE JUDGE